Jury Statistics Report Frequently Asked Questions

1. **What is JSR?**
   The JSR is the annual Jury Statistics Report and the data is reported within the Jury Statistics Report application in the Michigan Court Application Portal (MCAP).

2. **When is the Jury Statistics Report due?**
   By March 31 each year courts are required to submit their jury statistics data for the previous calendar year, e.g. the 2018 jury data will be reported between March 1 and March 31, 2019.

3. **Our court did not summon any jurors or hold any trials during the year. Does our court still have to submit a report?**
   Yes. If you did not summon any jurors for the reporting year, then you need to report zeros in all the juror utilization fields in the MCAP application.

4. **Can the data be uploaded from my case management system?**
   No, the application will not permit data to be uploaded at this time. The data must be manually entered in the Jury Statistics Report application in MCAP.

5. **What are the two sections of this report?**
   The **juror yield section** is related to the number of juror questionnaires sent and returned, and the number of jurors qualified and able to serve.
   The **juror utilization section** is related to the number of jurors summoned and used by the court.

6. **What is difference between a juror that is "unqualified" and a juror that is "exempt"?**
   "**Unqualified**" jurors are those persons who fall into one of these categories: non-citizen of U.S.; non-resident of county/district; less than 18 years of age; unable to communicate in English; physical or mentally unable to carry out functions of a juror; or convicted felon.
   "**Exempt**" jurors are those persons who are entitled to be excused from jury service because they fall into one of these categories and they request to be exempt: 70 years old or older; nursing mother; or active military service member.

7. **What is juror yield?**
   Juror yield is the number of potential jurors who are qualified and able to serve, calculated as a percentage of the juror qualification questionnaires sent.

8. **Which court submits the juror yield numbers?**
   The circuit court will report juror yield numbers by county for all courts in the county, regardless of their funding unit(s). The probate and district courts will not report juror yield numbers.

9. **Why does only the circuit court report that number?**
   Each year, the Michigan Secretary of State sends a list to the county clerk in each county that combines the driver's license list and the personal identification cardholder list. The jury board or circuit court in each county obtains from each court in the county an estimate of the number of jurors they will need for the coming year. Based upon that number, the jury board or circuit court requests a first jury list from which to draw potential jurors. These functions are done at the county level under the direction of the circuit court or the circuit court clerk in that county. Because "yield" is a direct result of this process, only the circuit court can report those numbers.

10. **What should be reported in the juror yield section of the JSR?**
    The juror yield section should include the total number of juror qualification questionnaires sent in previous calendar year, the number of these questionnaires that were returned and filled out completely, and the number of jurors who were qualified and able to serve. These juror yield numbers should be countywide and include all trial courts in the county, regardless of the funding unit(s).

11. **What is juror utilization?**
    Juror utilization is the number of potential jurors used in (voir dire) jury selection on a case, calculated as a percentage of the qualified jurors who are summoned for jury duty. It consists of three separate percentages and requires five numbers to be able to calculate. The percentages are: (1) the percent of jurors summoned that were told to report; (2) the percent of jurors told to report that were sent to a courtroom; and (3) the percent of jurors sent to a courtroom that were either seated on a jury or questioned in voir dire. The five numbers necessary to calculate juror utilization are: (1) the number of qualified jurors summoned; (2) the number of summoned jurors told to report; (3) the number of jurors who actually reported; (4) the number of reporting jurors that were sent to a courtroom; and (5) the number of jurors sent to a courtroom that were either seated on a jury or questioned in voir dire.

12. **Which court submits the juror utilization numbers?**
    Each court shall report juror utilization numbers by court jurisdiction. The probate and district courts may need to contact the circuit court to obtain the number of jurors summoned or directed to report if circuit court does the summoning of jurors for them.

13. **Our court is in the same building as another court and shares a juror pool, so we do not track how many were summoned or told to report specifically to our court. How do we submit my report?**
    If multiple courts use the same jurors once they have reported for service:
    a. The "reporting court" (for utilization purposes) should be the court that does the summonsing of the jurors, and that court should track the first three steps of juror utilization (Summons, Told to Report, and Check-in of Actually Reported).

b. Any "sharing court(s)" should track the last two steps of the jury utilization data for their own court (Sent to the Courtroom, Questioned in Voir Dire) and then give these numbers back to the reporting court to be added together and reported on the JSR report.

14. **The circuit court submitted the juror utilization numbers for our court because we share a juror pool on jury trial days (i.e. jurors report to the central jury office and are assigned to a specific courtroom after they report). Do we still need to report something through the JSR application?**
Yes, you should check the box to indicate that your court's juror utilization numbers were provided with the circuit court's numbers. Also, the circuit court should check the box to indicate that the juror utilization numbers include data for other courts, and they must add those numbers to what they report in their juror utilization numbers.

15. **One of the jurors was sent to two different courtrooms during the same day. How do we report this?**
In this situation, the juror should be counted only once in the field "sent to a courtroom." If they reported to different courts that report their utilization data separate, then count the juror for the case in which they were a seated juror. If not seated as a juror, then count the juror on the case in which they advanced the farthest through the jury selection process.

16. **One of the jurors was questioned in voir dire in two different courtrooms. How do we report this?**
In this situation, the juror should be counted only once in the field "questioned in voir dire." If they reported to different courts that report their utilization data separate, then count the juror on the case in which they were a seated juror. If not seated as a juror, then count the juror on the case in which they advanced the farthest through the jury selection process.

17. **If we mail the qualification questionnaire in December of 2018 and it is returned in January 2019, how is this reported?**
For the Juror Yield portion of the JSR, which is submitted by the circuit court, count that juror questionnaire in the data for the 2018 calendar year even if the later yield events occur in the following calendar year. The JSR data needs to reflect how many juror questionnaires yielded a qualified juror, regardless of when the juror was qualified. Therefore, if courts have the ability to generate an automated jury statistics report within their jury software, then they should wait until after March 1 to generate such a report so their data is the most current to report in MCAP.

18. **If we mail the juror summons in December 2018 but the jury term or report date is not until 2019, how is this reported?**
For the Juror Utilization portion of the JSR, count that juror summons in the data for the 2018 calendar year even if some or all of the other jurors' events occur in the following calendar year. The JSR data needs to reflect how many summonses

yielded a juror used in voir dire regardless of when the juror was used. Therefore, if courts have the ability to generate an automated jury statistics report within their jury software, then they should wait until after March 1 to generate such a report so their data is the most current to report in MCAP.

19. **Our courthouse does not have a jury assembly room. Jurors who report for duty are sent directly to a courtroom to wait. Should we count these individuals in the category for "Jurors Sent to a Courtroom"?**
Not necessarily. A juror who was sent directly to a courtroom to report but was dismissed because the case settled should NOT be counted in this category. If a case was called and that juror was part of a group of jurors in the courtroom for voir dire in that case, then they should be counted in this category. However, if all cases settle and no jury selections are begun that day, then count all the appearing jurors in the "reported" field but not in the "sent to the courtroom" field for that day.

20. **Jurors in our court can be summoned to appear on different dates more than once during their term of service. Should we count a juror each time he or she was summoned to the court?**
No. Count each juror only once, even if they are summoned multiple times during a term of service. Courts that have lengthy terms of service (one month or more) and direct jurors to report more than once during their term should consider reducing the term of service and establishing a policy that states if a juror has reported for service – even if not selected for a jury – their service is complete.

21. **In the Juror Yield section of the JSR it states that the circuit court will report the "Jurors Qualified and Able to Serve." It directs the court to exclude jurors deferred to another term or who were granted an excusal. This can be done relatively easily for circuit court jurors. However, our district courts use a two-step process. We qualify jurors and then the district court summonses them with a date. Sometimes the district court grants deferrals and excusals if necessary based on their own guidelines. In order for the circuit court to calculate the "able to serve" number, would the district court need to send us the number of jurors they granted deferrals and any excusals?**
No. The circuit court should report the number that they deemed qualified and available to serve. Generally, deferrals and excusals should be accounted for in the Juror Utilization section of the JSR instead of the Juror Yield section.

22. **Under juror utilization, do we include potential jurors who were summoned but not qualified or available to serve?**
No. They must be both qualified and available to serve. For example, if your circuit court uses a one-step process, you would NOT count jurors that were summoned but not qualified or available to serve. If your district or probate court disqualifies a juror that were previously determined to be qualified, they should be excluded or deducted from the "jurors summoned" in Juror Utilization section of the report.

23. **Our jurors are summoned only once for a three-month term. They are then told to call the court every Friday for that period to learn whether they must report on Monday morning. How should we count them in the utilization portion if they are told to report more than once?**
    If a juror is summoned for a term and told to report more than once during that term regardless of the length of the term, they should be counted only once. For example juror X is summoned for a week term in which trial can occur on more than one day and a juror can serve on more than one trial. Juror X is told to report two separate days for two separate trials. The number for the summons section should be 1 and told to report also 1, even though the juror reported twice. If the juror reported to court multiple times during their term of service, then count the juror for the case in which they served as a juror or advanced the farthest through jury selection process.

24. **What is difference between a one-step and a two-step juror qualification and summons process?**
    Courts that use a one-step process qualify and summon jurors at the same time. For example, if a court using a one-step process needs 100 jurors in 4 weeks, they would send out 200 qualification questionnaires and summons, assuming that they would have 100 jurors qualified and able to serve. Courts that use a two-step process send out a large number of qualification questionnaires and, once they have qualified a portion of those potential jurors, they will then summons them as needed during the year.

25. **What is the best way to manually count the jurors "questioned in voir dire" number?**
    Courts should count all jurors that were seated in the jury box for voir dire on a case, even if they were excused for cause or by peremptory challenge. If a judge or attorney asks general questions of the whole group of jurors in the courtroom (i.e. does anyone know the parties or witnesses, or have a hardship or conflict with the expected length of this trial) do NOT count all of the jurors in the courtroom, but count only the jurors that were excused from the courtroom because of their answers to the general questions.

26. **What is the best way to manually calculate the jurors "told to report" number?**
    Courts should report the number of jurors expected to report for jury service on a particular day and they can be calculated by two methods. Courts should calculate the number by both methods just to double check the reporting number is correct. One method is to start with the total jurors originally summoned for that day and subtract those jurors who were cancelled before they appeared in court and those jurors who were excused or deferred after being summonsed. The second method is to start with the number of jurors who actually attended for jury duty and checked in and add to that number the number of jurors who should have appeared but who failed to appear.